

NO: 12-16994

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

IN RE: APPLE IPHONE 4 PRODUCTS LIABILITY LITIGATION

STACY MILROT; A. TODD MAYO, ET AL.

Plaintiffs-Appellees

vs.

APPLE, INC.; AT&T INC.,
Defendants-Appellees,

ALISON PAUL

Objector-Appellant

From the U.S. District Court for Northern California, San Jose
No. 5:10-md-02188-RMW

Motion of Alison Paul for An Extension of Time to File Opening Brief; Request
for Permission to File Late Request; Memorandum of Points and Authorities;
Declaration of Joseph Darrell Palmer

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Memorandum of Points and Authorities

For good cause shown, the Court may grant an extension of time to file an Opening Brief. (Fed. R. App. P. 26(b) and Circuit R. 31-2.2).

Petitioner Alison Paul requests a thirty-day extension to file her opening brief and also requests permission to file a late request. All parties have been informed of this request. At the time of this filing there have been no oppositions to the request, and because resolution of the case is highly likely, none are anticipated. The opening brief is due on Monday, December 17, 2012. If the extension is granted the opening brief will be due on January 16, 2013.

As demonstrated by the attached declaration of Joseph Darrell Palmer, good cause exists for granting the extension.

Dated: December 17, 2012

Law Offices of Darrell Palmer PC

/s/ Joseph Darrell Palmer
Joseph Darrell Palmer
Attorney for Appellant Alison Paul

DECLARATION BY JOSEPH DARRELL PALMER

I, Joseph Darrell Palmer, declare that:

1. I am attorney admitted to practice before all the Courts of the State of California, the United States District Court for the Northern District, and the U. S. Court of Appeals for the Ninth Circuit. I have personal knowledge of the facts as set forth herein and if called upon to testify, could competently do so.

2. This Declaration is made in support of the movant's request for an order extending the time to file her opening brief to January 16, 2013, and permission to file a late request.

3. I informed all attorneys in the case about my intent to request the extension. At the time of this filing there have been no oppositions to the request, also not all parties have yet to respond.

4. This extension request is necessitated as a result of (1) settlement discussions which may render the appeal moot, (2) preparing and filing appellate briefs in another matter, and (3) press of other business.

5. The court reporter is not in default with regard to any designated transcripts.

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I declare under penalty of perjury, under the laws of the State of California and the United States of America, that the foregoing is true and correct. Executed this 17th day of December 2012, at Solana Beach, California.

/s/ Joseph Darrell Palmer
Joseph Darrell Palmer

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on December 17, 2012.

I certify that all parties in this case who are registered CM/ECF users that service will be accomplished by the appellate CM/ECF system.

I further certify that the following parties will be served via U.S. Mail, postage prepaid:

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/s/ Joseph Darrell Palmer
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